

APPEAL NO. 041388
FILED JULY 30, 2004

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing (CCH) was held on May 26, 2004. The hearing officer determined that the attorney's fees ordered in the amount of \$727.50 are reasonable and necessary.

The appellant (claimant) appeals, contending that the fees charged for an office visit were inaccurately billed and were excessive. The file does not have a response from respondent 1 (carrier) and respondent 2 (attorney).

DECISION

Affirmed.

We review attorney's fee cases under an abuse-of-discretion standard. Texas Workers' Compensation Commission Appeal No. 951196, decided August 28, 1995. In this case the disputed fees and the Texas Workers' Compensation Commission Order for Attorney's Fees were discussed at the CCH and the attorney explained that the billed two hours on February 13, 2004, for "Prepare for Proceeding" was not for an office visit but was for work in attempting to dispute a designated doctor's impairment rating. All the disputed fees were discussed with both the claimant and the attorney testifying under oath.

The hearing officer did not abuse her discretion in awarding the disputed attorney's fees.

The hearing officer's decision and order are affirmed.

The true corporate name of the insurance carrier is **TEXAS MUTUAL INSURANCE COMPANY** and the name and address of its registered agent for service of process is

**MR. RUSSELL R. OLIVER, PRESIDENT
221 WEST 6TH STREET, SUITE 300
AUSTIN, TEXAS 78701.**

Thomas A. Knapp
Appeals Judge

CONCUR:

Daniel R. Barry
Appeals Judge

Margaret L. Turner
Appeals Judge